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**From:** Hall, Lynda  
**To:** Waye, Don  
**Sent:** 1/29/2015 2:49:01 PM  
**Subject:** RE: Attn Lynda - Draft Email to Regional 319 coordinators - Oregon CZARA Decision

Don ,

The note looks just right to me and I agree email is most efficient way to proceed. I recommend sending first thing tomorrow morning so there's no chance of getting ahead of the official announcement. I would send it to all the NPS regional coordinators so even the landlocked regions know what is going on. I think the ACWA communication will suffice for alerting the "states" so don't think we need to go beyond that communication (which I will send tomorrow morning).

Thanks for the many drills and deliverables on this – almost over the finish line! (for now)

Lynda

**From:** Waye, Don  
**Sent:** Thursday, January 29, 2015 1:49 PM  
**To:** Hall, Lynda  
**Subject:** Attn Lynda - Draft Email to Regional 319 coordinators - Oregon CZARA Decision

Lynda,

You asked me to prepare for communicating with the regional 319 coordinators, so I have drafted the email below, which I would like to send to them later today, if that's fine with you. The rollout plan says:

- *Target January 29:* EPA and NOAA give respective state partners (CZM program, NPS Program, ODF, BOF) verbal heads-up about forthcoming decision (Psyk and Gore/Castellan).

Neither you nor I are listed for that, but it makes sense that either of us be the ones to communicate with our affected regions. I was only planning to let the "coastal" regions know, as it really only affects them. However, let me know if you want me to also communicate with our 2 landlocked regions about this, too. The rollout plan says verbal heads-up, so if you'd like, I can just give each regional coordinator a call and leave VMs for any that don't pick up the phone. However, I think sending an email would be best. Toward this end, please look over my draft below and advise me on how you'd like me to proceed.

Thanks.

Don

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Regional 319 Coordinators with coastal states (Regions 1, 2, 3, 4, 5, 6, 9; cc Region 10),

I just wanted to make you aware that EPA, along with NOAA, are making a decision tomorrow (1/30/2015) to jointly disapprove Oregon's coastal nonpoint pollution control program (or coastal nonpoint program) under Section 6217 of the Coastal Zone Act Reauthorization Amendments (CZARA). This decision will be announced in the Federal Register in the next week or so. Please do not share this news outside of EPA.

Here's some background:

Coastal states that participate in the National Coastal Zone Management Program are required to develop a coastal nonpoint program designed to prevent and control polluted runoff in coastal waters. While Oregon made significant progress on meeting many of the requirements, NOAA and EPA found that Oregon did not satisfy the program requirements related to forestry.

The statute provides for NOAA and EPA to withhold a portion of funding under Section 306 of the Coastal Zone Management Act and Section 319 of the Clean Water Act, respectively, when a finding is made that a state has not submitted a fully approvable coastal nonpoint program. While NOAA and EPA may withhold funding as early as July 1, 2015, we will evaluate the State's progress in addressing its remaining program gaps when deciding whether and when funding would be withheld. CZARA provides for any funds withheld from one state to be reallocated to states with fully approved coastal nonpoint programs.

Today's decision was taken to fulfill the requirement of a lawsuit settlement agreement and followed an earlier NOAA/EPA announcement in the Federal Register of our intent to find that Oregon has not submitted a fully approvable coastal nonpoint program. However, it is not the end of our cooperation with Oregon to complete the development of a fully approvable coastal nonpoint program. The federal agencies remain committed to continuing to work closely with Oregon to help it achieve this goal. In addition, the efforts the state makes to meet its CZARA requirements will also be valuable for the recovery of coho salmon.

Additional information, including the decision document developed by NOAA and EPA, the federal agencies' response to comments, and other documents related to the Oregon decision is available at <http://coast.noaa.gov/czm/pollutioncontrol/#Oregon>

Please do not hesitate to contact me or Lynda Hall with any questions.

Don Waye  
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